

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
REGIONAL COUNCIL MEETING**

October 26, 2016  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

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| * Mayor Greg Stanton, Phoenix, Chair     | # Mayor Christian Price, City of Maricopa     |
| * Mayor Jackie Meck, Buckeye, Vice Chair | Supervisor Denny Barney, Maricopa County      |
| Vice Mayor Robin Barker, Apache Junction | Mayor John Giles, Mesa                        |
| # Mayor Kenneth Weise, Avondale          | * Mayor Michael Collins, Paradise Valley      |
| Councilmember Mike Farrar, Carefree      | Mayor Cathy Carlat, Peoria                    |
| Councilmember Dick Esser, Cave Creek     | * Supervisor Todd House, Pinal County         |
| Mayor Jay Tibshraeny, Chandler           | Mayor Gail Barney, Queen Creek                |
| # Mayor Lana Mook, El Mirage             | * President Delbert Ray, Salt River           |
| * Mayor Tom Rankin, Florence             | Pima-Maricopa Indian Community                |
| * President Bernadine Burnette, Fort     | Mayor W.J. "Jim" Lane, Scottsdale             |
| McDowell Yavapai Nation                  | * Mayor Sharon Wolcott, Surprise              |
| Mayor Linda Kavanagh, Fountain Hills     | Mayor Mark Mitchell, Tempe                    |
| * Mayor Chuck Turner, Gila Bend          | * Mayor Adolfo Gamez, Tolleson                |
| * Governor Stephen Roe Lewis, Gila River | Mayor John Cook, Wickenburg                   |
| Indian Community                         | # Mayor Michael LeVault, Youngtown            |
| Mayor Jenn Daniels, Gilbert              | * Mr. Roc Arnett, Citizens Transportation     |
| Mayor Jerry Weiers, Glendale             | Oversight Committee                           |
| Mayor Georgia Lord, Goodyear             | Mr. Joseph La Rue, State Transportation Board |
| * Mayor Angie Perez, Guadalupe           | * Vice Mayor Jack Sellers, State              |
| Mayor Thomas Schoaf, Litchfield Park     | Transportation Board                          |
- \* Those members neither present nor represented by proxy.  
# Attended by telephone conference call.                      + Attended by videoconference

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Acting Chair Gail Barney, MAG Treasurer, Queen Creek, at 11:36 a.m.

2. **Pledge of Allegiance**

Mayor John Giles led the Pledge of Allegiance.

Mayor Michael LeVault, Mayor Lana Mook, Mayor Christian Price, and Mayor Kenneth Weise joined the meeting by teleconference.

Acting Chair Barney announced that on October 19, 2016, the Transportation Policy Committee recommended approval of the following items that are on the Regional Council agenda: For agenda item #5C, the project changes that were requested. For agenda item #8, the list of projects to be considered for the Regional Freeway and Highway Program 2016 Rebalancing.

Acting Chair Barney stated that this is the last Regional Council meeting for some Regional Council members. Mayor Angie Perez from Guadalupe, who served on the Regional Council during 2016; Mayor John Cook from Wickenburg, who served on the Regional Council from 2012 to 2016; Councilmember Dick Esser from Cave Creek, who served on the Regional Council from 2005 to 2013 and again from 2015 to 2016, on the Transportation Policy Committee, and on the MAG Nominating Committee. Acting Chair Barney expressed appreciation for their work in the MAG region and extended his best wishes. A photograph was taken and the outgoing members were applauded.

### 3. Call to the Audience

Acting Chair Barney recognized public comment from Ms. Dianne Barker, who said that she sees an increase in the number of cars on the road. She said that the Phoenix area is a top travel destination and visitors will bring cars with them. Ms. Barker stated that multimodal feels good. She quoted Woody Hayes that “nothing cleanses the soul like getting the (expletive) kicked out of you.” Ms. Barker stated that you cannot give enough customer service and outreach to the public. She stated that her cartwheels had purpose. Ms. Barker expressed she was glad Mr. Rusinek had been offered a hearing assisted device. She recalled many years ago that Mr. Crowley was denied the opportunity to speak and MAG had to apologize. Acting Chair Barney thanked Ms. Barker.

Acting Chair Barney recognized public comment from Mr. John Rusinek, who said that Ms. Taft, MAG staff, sent him an email saying that he could speak on dust. Mr. Rusinek explained that he has significant hearing loss as a result of his service on a Naval destroyer. He said that Mr. Zuercher told him his problem with 6,000 square feet that is not dustproofed is over. Mr. Rusinek stated that he noticed the vehicles parked next door have been removed, but no one notified him that the problem was corrected. Acting Chair Barney thanked Mr. Rusinek.

### 4. Executive Director’s Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith stated that MAG’s modeling manager, Mr. Vladimir Livshits, recently returned from a vacation in Israel, where he met with the Jerusalem Transport Master Plan Team, an organization equivalent to MAG. He said that the Jerusalem Transport Master Plan Team and MAG work on similar projects, such as light rail, and utilize similar technical tools. Mr. Smith noted that Mr. Livshits met with the Mayor and City Manager of Jerusalem. He said that the mayor is a billionaire and draws no salary as mayor.

Mr. Smith stated that the tour of Local Motors Company took place October 6, 2016, arranged by MAG staff member Alana Chavez Langdon. He noted that the University of Nevada Las Vegas now has its own autonomous bus built by Local Motors.

Mr. Smith stated that ground was broken recently for the Gilbert Road light rail extension, which will extend light rail on Main Street to Gilbert Road. Mr. Smith noted that the project will cost approximately \$152 million and will be a great addition to the City of Mesa and the region.

Mr. Smith displayed photographs of the Regional Council, City of Apache Junction staff, and MAG staff, who dressed in purple in support of October as Domestic Violence Awareness Month. He also displayed photographs of city buildings that were lit purple. Mr. Smith referenced the negative article in The Arizona Republic about this, but it is events like this that raise community awareness and support. He expressed his appreciation to Mayor Jenn Daniels for inviting him, Vice Mayor Robin Barker, and MAG staff Amy Robinson to attend the lighting of the Town of Gilbert's water tower. Mr. Smith stated that the Town Council also issued a Proclamation for October as Domestic Violence Awareness Month.

Acting Chair Barney thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Acting Chair Barney noted that agenda items #5A, #5B, #5C, #5D, #5E, and #5F were on the Consent Agenda.

Acting Chair Barney recognized public comment from Mr. Rusinek, who indicated that he wanted to make corrections to the minutes. He said the driveway next door was done wrong three times. The first time it was done with soil shield incorrectly. Mr. Rusinek stated that they then did not use the correct size of gravel. He also stated that this was the first time he had been offered a hearing device at MAG. Acting Chair Barney thanked Mr. Rusinek.

Acting Chair Barney asked if members had questions or requests for a presentation on any of the Consent Agenda items.

None were noted.

Vice Mayor Robin Barker moved to approve the Consent Agenda items #5A, #5B, #5C, #5D, #5E, and #5F. Mayor W.J. "Jim" Lane seconded, and the vote on the motion passed unanimously.

5A. Approval of the September 28, 2016, Meeting Minutes

The MAG Regional Council, by consent, approved the September 28, 2016, meeting minutes.

5B. Report on Project Changes to FY 2016 Projects That Modify the FY 2017-2021 MAG Transportation Improvement Program and 2035 Regional Transportation Plan

An amendment to the Fiscal Year (FY) 2017-2021 MAG Transportation Improvement Program (TIP) and 2035 Regional Transportation Plan (RTP) was approved on August 31, 2016, by the MAG Regional

Council. Due to the approach of the end of the federal fiscal year, the Regional Council also approved additional necessary project changes that are dependent on federal authorization of transportation projects for FY 2016. On September 1, 2016, MAG submitted two project changes, which are included in Table C. This item was on the September 29, 2016, MAG Transportation Review Committee, the October 5, 2016, MAG Management Committee, and October 19, 2016, Transportation Policy Committee agendas for information.

5C. Project Changes - Amendment and Administrative Modification to the Fiscal Year 2017-2021 MAG Transportation Improvement Program, and, as Appropriate, to the 2035 Regional Transportation Plan

The MAG Regional Council, by consent, approved amendments and administrative modifications to the FY 2017-2021 MAG Transportation Improvement Program and, as appropriate, to the 2035 Regional Transportation Plan. The Fiscal Year (FY) 2017-2021 MAG Transportation Improvement Program (TIP) was approved by the MAG Regional Council on June 22, 2016, with the last modification approved at the August 31, 2016, Regional Council meeting and subsequent changes submitted on September 1, 2016. Since then, additional changes and additions to projects in fiscal years 2017 and beyond of the FY 2017-2021 TIP have been requested by member agencies. The project changes were recommended for approval by the MAG Transportation Review Committee on September 29, 2016, by the MAG Management Committee on October 5, 2016, and by the Transportation Policy Committee on October 19, 2016.

5D. Project Initiation Pool

The Project Initiation Pool provides federal funding to MAG member agencies to pay the Arizona Department of Transportation (ADOT) fees to initiate the review of federally funded projects. It is open for a limited time, to all MAG member agencies with federally funded projects that are awarded through MAG and submitted to ADOT for federal authorization. The funding is available each year from October 1 through December 31. The amount of funding provided per project is \$2,829 with a \$171 matching requirement. This funding will be used by ADOT to assign project numbers and staff, conduct a kickoff meeting, begin the development of an intergovernmental agreement and any other review tasks needed to clear the project for federal authorization. This item was on the September 29, 2016, MAG Transportation Review Committee and October 5, 2016, MAG Management Committee agendas for information.

5E. Conformity Consultation

The Maricopa Association of Governments was conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2017-2021 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Arizona Department of Transportation and other miscellaneous projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination.

5F. FY 2016 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program Mobility Management Central Valley Recommendation for the Phoenix-Mesa Urbanized Area

The MAG Regional Council, by consent, approved Gompers Habilitation Center for the FY 2016 FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program Mobility Management position for the Central Valley in the Phoenix-Mesa Urbanized Area at the federal funding level of \$36,000. Every year, MAG coordinates the Federal Transit Administration (FTA) Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program competitive process for the Phoenix-Mesa Urbanized Area (UZA). During the 2016 application cycle, a mobility management project was not submitted for the Central Valley. On June 22, 2016, the MAG Regional Council approved the availability of funding for a mobility management position for the Central Valley to ensure the continuation of regional support for human services transportation efforts, as federally required. Applications were due on September 26, 2016. On September 29, 2016, the MAG Elderly and Persons with Disabilities Ad Hoc Committee evaluated the applications and recommended the Gompers Habilitation Center project for the FY 2016 Section 5310 Central Valley Mobility Management position in the Phoenix-Mesa UZA. On October 5, 2016, the MAG Management Committee recommended approval of Gompers Habilitation Center.

6. Report on the Arizona Motorcycle Safety and Awareness Foundation

Acting Chair Barney called on Mayor Jerry Weiers to introduce the presenters for this agenda item.

Mayor Weiers stated that he requested that a presentation on the Arizona Motorcycle Safety and Awareness Foundation (AMSAF) be on the agenda because it is not often you can bring forward a program that has no cost but many benefits. He stated that he was an AMSAF founding board member. Mayor Weiers stated that Mr. Mick Degn, one of the presenters, was his good friend and fellow Shriner. He stated that Mr. Degn wants to do something to protect motor vehicle riders. Mayor Weiers stated that the AMSAF program saves lives and money. It takes a different approach to motorcycle rider safety – it makes motorcycle riders better riders. He said that this program costs cities and towns absolutely nothing. Mayor Weiers introduced Mr. Mick Degn, AMSAF Executive Director, and Mr. Mark Breyer, Vice Chairman of the AMSAF Board.

Mr. Mick Degn thanked the Regional Council for allowing him and Mr. Breyer to present their report. Mr. Degn noted that pamphlets on the organization had been distributed at each place. He stated that AMSAF was formed in 2011 as a nonprofit 501c3 foundation. Mr. Degn stated that AMSAF's goal is to promote motorcycle safety and awareness.

Mr. Breyer commented on the many areas impacted when a motorcycle goes down. AMSAF's position is to improve ridership and make a difference. Mr. Breyer stated that their goals are to provide crash and fatality data to the public, provide scholarship opportunities for motorcycle training, promote weekly safety tips through social media, and work with the communities to help reduce motorcycle crashes and fatalities in Arizona. Mr. Breyer noted that statistically, the better trained the motorcycle rider, the less likely the rider will go down. He added that AMSAF has put together the largest training and scholarship program in Arizona, and probably in the U.S. Mr. Breyer noted that AMSAF has been working with communities to help reduce motorcycle crashes and fatalities in Arizona.

Mr. Degn stated that AMSAF has worked with Sgt. Stout at Chandler Police and Sgt. Kelly at Mesa Police to attend their public safety days. He then addressed crash and fatality data. Mr. Degn stated that 2011 through 2013 saw a huge increase in motorcycle fatalities per year. This number decreased in 2014 to 128, but began rising in 2015 to 134. Mr. Degn noted that through August 2016, the number is 122 fatalities. He stated that combined with fatality rates is a steady increase in motorcycle registrations from 2011 to 2016.

Mr. Degn stated that he is a part of the Arizona Strategic Highway Safety Plan for motorcycles. He displayed a chart of motorcycle crashes by county, and he noted that the greatest number of motorcycle crashes occur in Maricopa County, followed by Pima County. Mr. Degn stated that more than 2,900 motorcycle crashes occurred in the State in 2015, with 134 fatalities. He commented that one death is one too many.

Mr. Degn announced that AMSAF received an award of a \$250,000 from the Arizona Governor's Office of Highway Safety and the Arizona Motorcycle Safety Advisory Council. He stated that AMSAF works closely with Director Gutier from the Governor's Office of Highway Safety and with the Arizona Department of Transportation. Mr. Degan explained that the grant will provide support for motorcycle rider training classes to the public through the scholarship program. He added that the grant reduces the cost of a two-day classroom training from \$300 to \$100.

Mr. Degn stated that from August 2014 to June 2016, AMSAF provided 1,662 scholarships to motorcyclists throughout Arizona. He noted the majority of attendees are in the 20 to 50 year-old age group, which aligns with the age bracket of fatalities in motorcycle crashes. Mr. Degn stated that the two-day course provides a student with a motorcycle endorsement. He noted that most motorcycle riders do not have a motorcycle endorsement.

Mr. Breyer stated that this AMSAF training saves lives and money. He stated that AMSAF conducts a survey of people after they completed the training. Mr. Breyer said that AMSAF also promotes safety tips through social media.

Mr. Degn pointed out that AMSAF impacts the community by assisting the hospitals and healthcare in promoting motorcycle safety. He noted that elected officials are close to the people and he requested their assistance in disseminating information about the AMSAF scholarship program. Mr. Degn stated that AMSAF would like to participate in community public safety days and could host a booth where they could hand out materials and scholarships. He stated that AMSAF will share data. Mr. Degn stated that the *Riding for the Long Haul* is an annual AMSAF event to promote motorcycle rider safety.

Acting Chair Barney thanked Mr. Degn and Mr. Beyer for their report and asked members if they had questions.

Mayor Jerry Weiers stated that what is important is AMSAF is not asking for any funding – rather, they want to help communities save money. He asked for clarification of where the schools are located, how they are accredited, and how they are paid.

Mr. Degn replied that there are six schools in Arizona certified by the Motorcycle Safety Foundation and Arizona Department of Motor Vehicles. The school locations are in Maricopa County, Tucson, Casa

Grande, Sierra Vista, Yuma, Bullhead City, and Kingman. Mr. Degn explained that a person who wants to attend a motorcycle training class can fill out an application obtained at the AMSAF website for a \$100 donation that is tax deductible. They then receive a promotional code which they will provide to the school when they register. Mr. Degn stated that the school invoices AMSAF, which then pays the school. He added that after filling out the application, applicants have seven days to register and 45 days to complete the course.

Mr. Degn stated that a press release on the program will soon be sent out to media around the State. He stated that there is a 40 percent response rate to their four-question survey asked after people complete the training. Respondents indicated how helpful it was to receive a scholarship because they did not have the money to pay the entire cost of the training.

Mayor Linda Kavanagh asked if AMSAF promotes the use of helmets and proper motorcycle riding clothing.

Mr. Degn replied yes, they promote motorcycle rider safety gear, which includes helmets and proper clothing. He added that he wears a helmet when he rides a motorcycle and would recommend that riders wear one. Mr. Degn stated that the training course addresses proper motorcycle riding apparel. He recalled his neighbor escaped injury in a motorcycle crash because he was wearing the appropriate gear. Mr. Degn noted that one individual used the \$200 savings from the scholarship to purchase motorcycle safety gear.

Mayor Kavanagh asked if an insurance discount was available to those who had taken the course.

Mr. Degn replied yes. He added that the AMSAF pamphlet is available at MVD offices and shows the locations of the schools, and the links to the scholarship application and to insurance companies.

Councilmember Dick Esser asked if AMSAF had a booth at Cave Creek, since Cave Creek is known as a motorcycle destination.

Mr. Degn replied AMSAF could have a booth at events in Cave Creek. He said AMSAF works with Booth Communications, which is located in Cave Creek, on events.

Mayor Weiers asked for clarification that the schools and AMSAF are independent of each other.

Mr. Degn replied that was correct, they are totally independent organizations. He added that AMSAF will not select the school – the attendee has the choice of the school.

Acting Chair Barney remarked that the AMSAF scholarship program sounds like a fantastic program. Acting Chair Barney stated that it is beneficial to be proactive and to involve programs to improve safety on highways.

Mr. Degn stated that another item he distributed to the Regional Council is the Know Your Limits card from the Governor's Office of Highway Safety. He noted that the top two causes of motorcycle crashes and fatalities are alcohol and drugs. Mr. Degn noted that contact information is included in the pamphlet and on the website. He requested that people give them a call – they would be pleased to help.

## 7. Proposed Changes to the MAG By-Laws

Mr. Nathan Pryor provided a report on the proposed changes to the MAG By-Laws, which is being presented for action. He stated that he reported on the proposed By-Laws change at the September Regional Council meeting. Mr. Pryor stated that there are two parts to the proposed changes. The first item is transit representation on the MAG Regional Council to be in compliance with the U.S. DOT requirement of 2014. He said that a federal rule that came out of the Surface Transportation Reauthorization requiring transit representation on Metropolitan Planning Organization (MPO) boards, which for MAG, means the Regional Council. Mr. Pryor noted that this issue had been discussed by the Executive Committee and Regional Council to clarify language.

Mr. Pryor said that MAG submitted comments on what is called a two-hats rule: one representative who would serve as the transit representative and as a representative of a member agency. He explained that the way the original rule was written could provide an agency with more than one seat on a Board and that is the reason they sent the comment to consolidate the two roles into one seat.

Mr. Pryor said in May 2016, the rule was finalized and now provides for the two-hats option. Mr. Pryor explained that the City of Phoenix, as the Designated Recipient and largest contributor of transit funds in the region, could be the transit representative. If the transit representative no longer has the major investment in transit or no longer desires to serve in the capacity, the Regional Council may select another elected member of the governing body that is a provider of public transit to serve as the transit representative.

Mr. Pryor then addressed the second item – a technical change to the MAG By-Laws for the Citizens Transportation Oversight Committee (CTOC). He said that the current language saying that CTOC has oversight over the Regional Freeway System is inaccurate. Mr. Pryor stated with the passage of Proposition 400, the range of issue areas for CTOC has broadened beyond the Regional Freeway System to the larger Regional Transportation Plan, which covers modes of transportation other than freeways – bicycle, pedestrian, and transit. He noted a technical amendment to the MAG By-Laws is being requested to more accurately reflect the role of CTOC.

Mr. Pryor stated that in September 2016, the MAG Regional Council Executive Committee and MAG Regional Council took action on the proposed amendments and initiated the By-Laws amendment process. He noted that the proposed amendments were posted on the MAG website for a minimum of 15 days for public consideration. No public comments were received.

Acting Chair Barney thanked Mr. Pryor for his report. No questions from the Regional Council were noted.

Supervisor Denny Barney moved approval of the proposed amendments to the MAG By-Laws to provide for a transit representative on the MAG Regional Council and for technical clarifications regarding the role of the Citizens Transportation Oversight Committee (CTOC) at MAG. Mayor Cathy Carlat seconded, and the motion passed unanimously.



8. Regional Freeway and Highway Program - 2016 Rebalancing

Mr. Bob Hazlett, MAG staff, presented a report on the 2016 Rebalancing of the Regional Freeway and Highway Program. Mr. Hazlett noted that in June, September, and October 2016, the Transportation Policy Committee (TPC) received briefings on scenarios for addressing an estimated \$787 million ending balance surplus in the Regional Freeway and Highway Program in 2026. He noted that the surplus was approximately \$640 million in May 2016, and with further scrubbing, the surplus has now grown to \$787 million.

Mr. Hazlett pointed out on the map that the projects being recommended were indicated in blue, the projects under construction were indicated in orange, and the currently funded projects were indicated in green.

Mr. Hazlett stated that the pool of projects began with an evaluation of approximately 40 projects, which were delayed in the 2009 or 2012 Rebalancing processes or were new projects that were needed to meet demand. He stated that the methods of evaluation included project readiness or legacy project. Mr. Hazlett noted that the list of projects being recommended by the TPC was included in the agenda material as Attachment 5.

Mr. Hazlett spoke on how the rebalanced projects would fit in with other Regional Freeway and Highway Program projects. He said that they looked at delivery options. There are significant time savings due to the South Mountain Freeway completion anticipated earlier than planned. Mr. Hazlett stated that due to the time savings, some projects and studies can be advanced. With this information, Mr. Hazlett stated that initial discussions with ADOT identified how the projects could fit into the FY 2018 to 2022 Transportation Improvement Program and 2040 Regional Transportation Plan.

Mr. Hazlett pointed out on a graph the projects in green they want to program in the FY 2018-2022 Transportation Improvement Program and then they will start looking at the sequencing of the projects indicated in blue. He added that the projects are for illustrative purposes and priority order will be discussed with the TPC. Mr. Hazlett stated that this could mean a \$5 billion construction program.

Mr. Hazlett stated that this item was on the agenda for information, discussion, and possible action to approve a list of projects recommended by the TPC to be considered for the Regional Freeway and Highway Program 2016 Rebalancing.

Acting Chair Barney thanked MAG members and staff for their efforts on the Rebalancing. He remarked that it has not been an easy process and it took a lot of time. Acting Chair Barney expressed his appreciation for the savings in money and time and for bringing together the region.

Mayor Georgia Lord stated that Mayor Jackie Meck was unable to attend the meeting today, but had a question. His question is whether the I-10 Verrado and SR-85 project includes the interchange improvements at Miller and Watson Road.

Mr. Hazlett replied yes, it does include the interchange improvements.

Mayor Kenneth Weise commented that the Rebalancing has been a long process. He expressed appreciation for the support of TPC Chair, Mayor John Giles and the East Valley cities, and the efforts of MAG staff. Mayor Weise stated that the Rebalancing scenario is good for the entire Valley and he fully supported it.

With no further questions, Acting Chair Barney called for a motion.

Mayor Georgia Lord moved to approve a list of projects recommended by the TPC to be considered for the Regional Freeway and Highway Program 2016 Rebalancing. Mayor Jerry Weiers seconded, and the motion passed unanimously.

Mr. Dennis Smith acknowledged that we have the extra funds because of MAG's relationship with ADOT, Staff were willing to look at options that could save money.

Acting Chair Barney noted that he wanted to ensure that ADOT would be informed of our appreciation.

9. Ozone Boundary Designations

Ms. Lindy Bauer, MAG staff, reported that at the August 2016 Regional Council meeting, she reported that two air quality monitors are at .071 parts per million (ppm), slightly over the ozone standard, which is .070 ppm.

Ms. Bauer stated that the Tonto National Monument monitor was meeting the standard. Recently, it was discovered that the monitor had shut down due to a pump failure on June 22, 2015. Ms. Bauer indicated that the monitor shut down in the evening, after six hours, as the concentrations were beginning to come down. According to EPA monitoring requirements, if six hours of monitoring data are over the standard, it counts as an ozone exceedance of the standard. As a result of the pump failure and the six hours were over the standard, this counts as an exceedance, causing a violation of the standard at the monitor. ADEQ and MAG staff indicated that if the monitor had not failed and had the usual eight hours of data, the monitor would not have violated the standard due to the declining ozone concentrations in the evening.

Ms. Bauer stated that on October 13, 2016, ADEQ and MAG had a teleconference call with EPA regarding the pump failure that caused an exceedance and, in turn, a violation of the standard. Ms. Bauer indicated that ADEQ and MAG asked EPA if they could submit supplemental, credible data to prove that the monitor would have met the standard instead of an exceedance that resulted in a violation of the standard. EPA responded that the monitor requirements do not provide a path for EPA to consider supplemental data.

Ms. Bauer stated that on August 31, 2016, the MAG Regional Council took action to recommend that the Governor request a one year delay of the ozone boundary designations under Clean Air Act. Ms. Bauer commented that a one-year extension would allow the downward trend in ozone concentrations to continue. She added that a one year delay would also allow EPA to consider newer, more complete monitor data, due to the Tonto National Monument monitor's incomplete data.

Ms. Bauer noted that on October 4, 2016, MAG received the Governor's recommendation to the Environmental Protection Agency on the ozone boundary designation for the 2015 ozone standard. The Governor recommended that based upon 2013-2015 data, the current boundary be expanded to include the Queen Valley monitor in Pinal County and the Tonto National Monument monitor in Gila County, along with three other suggested data-contingent alternatives.

Ms. Bauer presented a map of the initial Arizona ozone boundary designation that includes both the Queen Valley and Tonto National Monument monitors. Ms. Bauer discussed Alternative A, B, and C that were also submitted to EPA. Alternative A includes just the Queen Valley monitor if the Tonto National Monument monitor is not violating the standard. Alternative B includes just the Tonto National Monument monitor if the Queen Valley monitor is not violating the standard. Alternative C maintains the current boundary if both of these monitors are attaining the standard.

Ms. Bauer stated that the data-contingent alternatives provide a positive path forward. If the data is clean in 2017, one of the alternatives may become the designated ozone boundary. Ms. Bauer noted that the Governor did not include a request for a one year delay of the ozone boundary designations. A one year extension of the ozone boundary designation would have provided more certainty that EPA would consider 2017 monitoring data.

Ms. Bauer expressed her appreciation to the Regional Council for their actions during the ozone boundary designation process. Ms. Bauer discussed the ADEQ boundary designation schedule. The Governor submitted Arizona's initial boundary designation to EPA on September 27, 2016. EPA is scheduled to finalize the designations by October 1, 2017. Ms. Bauer noted that Pinal County has been very supportive, and actions included passing a Resolution. She stated that Pinal County and MAG have worked cooperatively to examine the data regarding where the boundary line is placed to protect business and industry in the region from negative impacts.

Acting Chair Barney thanked Ms. Bauer for her report. He asked if there were questions.

Mr. Dennis Smith stated that it seems common sense that the monitor should not have been included. He indicated that there may be a need to change regulations, because the same situation could happen again. Mr. Smith remarked that it was unfortunate that they felt they had no legal footing for us to provide additional data.

Acting Chair Barney expressed appreciation for the efforts on the ozone boundary designation.

10. Legislative Update

No report.

11. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

No requests were noted.

12. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Councilmember Dick Esser provided his farewell comments. He stated that in 1959, he was a student at Arizona State University and ran the projector for the Wilbur Smith presentation by the consultant. Councilmember Esser recalled how exciting it was to be building the first freeway in the Valley. He remarked that it became political and the region was fortunate that MAG was created. Councilman Esser commented that MAG is the most professional organization of all of the agencies he dealt with in his career. He stated that there have been bumps in the road, but they have been overcome, due to the efforts of Dennis Smith. He added that MAG staff is above the standard. Councilman Esser stated that MAG has assisted the Town of Cave Creek with such things as establishing community gardens and bicycle paths. MAG has helped the Town and all of the other MAG member agencies with whatever they request. Councilman Esser stated that Mr. Smith has promoted and mentored MAG staff; some have left MAG, and some of them have returned. He said that Mr. Smith is a good leader and that he wanted to personally thank him. Applause followed.

Mayor Georgia Lord stated that the Chicago Cubs and Cleveland Indians are competing in the World Series. As Mesa is the home of Spring Training for the Chicago Cubs and Goodyear is the home for Spring Training for the Cleveland Indians, Mayor Lord challenged Mayor John Giles to wear a Cleveland Indians hat and shirt to the December 7, 2016, Regional Council meeting if Cleveland wins the World Series. She said that if the Chicago Cubs win the World Series, she will wear a Chicago Cubs hat and shirt to the Regional Council meeting.

Mayor Giles accepted the challenge.

Acting Chair Barney stated that it is nice that we have opportunities to have these types of challenges because we have Spring Training teams locally.

Adjournment

There being no further business, the meeting adjourned at 1:40 p.m.

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Chair

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Secretary